I. Call to Order
Chairperson Laura Gregory called the meeting of the Select Board to order at 7:00 P.M. in the 3rd Floor Conference Room located at Town Offices. Present from the Select Board: Alex Vispoli, Dan Koh, Annie Gilbert, Chris Huntress, and Laura Gregory.

Others in Attendance: Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, Town Counsel Tom Urbelis, Town Clerk Austin Simko. The meeting was duly posted and cablecast live.

II. Opening Ceremonies
A. Moment of Silence/Pledge of Allegiance
The meeting started with a Moment of Silence followed by a Salute to the Flag.

III. Communications/Announcements/Liaison Reports
The Town Manager reported that they are in the process of temporarily moving the Senior Center to temporary locations that include the Ballardvale United Church located at 23 Clark Road, Town Offices and Dundee Park. An informational meeting will be held on Wednesday, November 20th at 7:00 PM.

The Residential Scientific Survey Mike Lindstrom and Austin Simko have been working on with the students at UMass Lowell will be sent randomly to about 3,000 on Wednesday. Citizens that do not receive a random survey can participate online. The survey is available on the front page of the Town website at www.andoverma.us.

The Town is looking for community members to help educate and motivate the public to respond to the 2020 Census. Austin Simko reported that fifteen community members attended the first meeting for the 2020 Census. The Town Governance Study Committee is holding a listening study on Wednesday at 7:00 P.M. at the Public Safety Center, and December 11th at 9:30 A.M. at Memorial Hall Library to take input on what is working well and what isn’t, and to clarify issues they will investigate and research.

Chris Huntress extended a thank you to Mark Comeiro, Director of Veterans Services for the wonderful Veteran’s Day Services held across the Town, the ceremonies were very well done. Dan Koh and Laura Gregory also remarked on the notable and moving services held on Veterans Day.

Annie Gilbert attended the first Town Governance Study Committee Listening Meeting. It was interesting to hear what people were saying and the discussion stimulated many ideas. Now is the time to give feedback that will shape the Committee’s Work.

Congratulations to the AHS Girls Swim & Dive Team on winning their 19th State Championship. Congratulations as well to the AHS Girls’ Soccer, Boys’ Soccer and the Girls’ Field Hockey team who all did amazingly well. It has been a great fall season for the Andover High school teams.
Alex Vispoli asked about the bid process for space the senior center is using during the renovation project. Andrew said a competitive bid process was conducted and the Ballardvale Church was the only response. The monthly rent is about $7,000 for about 7,000 sq. ft.

IV. Citizens Petitions and Presentations
Jane Gifun, Castle Heights, said the Senior Center this Friday is the last day at the current location and an information desk is setup at the Senior Center this week. They will be opening at the new Center on December 2nd. Packets of information are available at the Senior Center and on line. Current telephone numbers will remain as they are.

Philip D’Agati, the Grand Knight of the Andover Knights of Columbus said the Council is hosting their Annual Winter Warmup on January 25th at 5:30 PM at the Andover Country Club to present awards to both Andover and North Andover to those persons who have provided community service this year, called the Torch Bearer Awards. The awards for Andover will be presented to Father Arthur Johnson, St. Augustine’s Parish, and to Town Manager, Andrew Flanagan for his community work during the gas crisis. In North Andover Jim and Peter LaFond, will be recognized for serving on over 25 Boards in the Merrimack Valley conducting charity work. A press release was presented to the Board.

Keith Saxon, Wethersfield Drive, spoke about recycling of fluorescent lightbulbs to help the environment and establishing a collection site for Andover residents to recycle. He helped to organize the 11th Whole Foods Recycle Program last week where a large percentage of people dropped off fluorescent bulbs. Andover provides few options to dispose of mercury. It would be an important service to residents of Andover if a collection site could be provided at the new Municipal Maintenance Center.

Donald Coleman addressed concerns with the Volunteer Program at the Senior Center, and the Veterans Day Services because they were not allowed to have their military salute with guns. He would also like the Senior Center to known as the Punchard Center and said there are serious concerns with Columbia Gas.

V. Public Hearings
A. Fiscal Year 2020 Tax Classification
The Town Manager said data has been submitted to the Dept. of Revenue and when their process is concluded we will be able to move forward with setting the Tax Classification rates. He is requesting the Board open the hearing and continue it to December 2, 2019.

On a motion by Annie Gilbert seconded by Alex Vispoli, the Select Board moved to open the Fiscal Tax 2020 Tax Classification Hearing and to continue the Hearing to December 2, 2019.
B. Liquor License Hearing

Board to discuss and consider voting to approve an application by MRG Asset Holdings, LLC d/b/a Pazzo Pizza Co., 10 Main Street, Andover, MA, for a transfer of an All Alcohol Restaurant Alcoholic Beverage License from Schneidbach Enterprises, LLC, d/b/a Theory Wine Bar + Listening Room, 18 Stratford Road, Andover, MA. Austin Simko reported all paperwork is in order.

Chris Huntress moved to approve the application of MRG Asset Holdings LLC d/b/a Pazzo Pizza Co, 10 Main Street, Andover, MA, for a transfer of an All Alcoholic Restaurant Alcoholic Beverage License from Schneidbach Enterprises, LLC, d/b/a Theory Wine Bar + Listening Room, 18 Stratford Road, Andover, MA; and David Malloy 8 Sawyers Lane, Andover, MA as the Designated Manager, subject to the condition that all other requirements of the Town are met prior to issuance. The motion seconded by Dan Koh, and voted 5-0 to approve.

VI. Regular Business of the Board

A. Amendments to the Traffic Rules and Regulations

Board to discuss and vote on the following changes to the Traffic Rules and Regulations as proposed by the Andover Safety Officer Glenn Ota.

Schedule 1, Article V, Section 2 – Parking

1. Impose a parking restriction of No Parking approximately 40’ from the driveway at 52 Chestnut Street to the corner of Chestnut Street and Whittier Street. Location: Chestnut Street West side from 52 Chestnut Street to a distance of 40 feet. Which Safety Officer Ota said would be a permanent change by removing two parking spots. There have been several in the last 3 years and many near misses along with complaints by neighbors. Chris Huntress asked if we can gain any spaces on the opposite side of the road along the park.

Patty Burke, 52 Chestnut asked if it is necessary to take two spaces, one space may be enough due to the bump-out and to consider allowing parking on the weekends/holidays. John Burke, 52 Chestnut Street, suggested moving the signs on Whittier or make it a 4-way stop. The State (MADOT) regulates requirements to warrant 4-way stop requests. Sharon Mason 50 Chestnut, wants safety for everyone and is disappointed it takes a certain number of incidents to get a request for a 4 way stop. Restrict parking during the week.

First Reading: No action taken.

2. Impose a parking restriction of No Parking Here to Corner 80’ from the corner of Salem Street and Highland Road 80’ south to the driveway at 26 Salem Street. Location: Salem Street North side from 26 Salem Street to a distance of 80 feet. Pedestrians have to get “into” the intersection to see oncoming cars – Phillips Academy students/faculty and pedestrians have expressed concerns. The property adjacent belongs to Philips Academy so the change would affect a private residence.

On a motion by Alex Vispoli and seconded by Chris Huntress, the Board voted 5-0 to recommend approval for the 2nd suggestion to impose a parking restriction of No Parking from the corner of Salem Street and Highland Road as presented. The motion to recommend approval was voted 5-0 to approve.
3. Paul LaRosa owner of LaFina/LaRosa Restaurants is requesting permission to restrict three (3) parking spaces (60 ft. total) in front of 27 Main Street for the purposes of valet parking (free to customers) with the restriction limited to Thursday – Saturday 5:00-10:00 P.M.

Restaurant owner, Paul LaRosa uses Boston Valet Service and everyone is certified/licensed and they take full responsibility for all services and will be happy to provide an insurance certificate. Mr. LaRosa said there are provisions to allow anyone to use their valet spot, and have a voucher from the restaurant to get complimentary parking or they could charge a small fee. Having a valet service would free up space for 60-70 cars valet parked in a private lot and not on Main Street.

Concern/discussion: this is a public parking spot and not exclusive to one business. It will mitigate traffic impacts along Main Street from 5-10 P.M. generated by an application by a certain business. This change would be included in the traffic rules and regulations. It could be considered a pilot program for a particular time period and the Town has the right to revoke the request at any time. Jane Gifun said it could be a disservice to other businesses in the area. Mr. Coleman does not support this initiative. Mr. Pokress Cherrywood Circle, disagrees with allowing this to turn a public resource into a privately controlled resource.

The Board suggested putting parameters in place as a pilot program and if it doesn’t work have the ability to end it. Caveat – not any different than leasing outdoor seating having the license renewed every year. Chris Huntress would like to see a circulation routing, and that they provide the name of the company running the service.

Laura Gregory requested a written application be drafted showing traffic routing and be held for a second reading for the December 2nd agenda.

B. Presentation on Town’s Actions Relative to Vaping
Director of Public Health Tom Carbone, gave a presentation on the Town’s actions relative to regulating vaping. Current regulations, regulate vaping devices as a tobacco product and can only be sold to someone over the age of 21 and requires flavored tobacco products sold only at adult stores that only allows someone over the age of 21 to enter. Vaping devices were originally designed for nicotine and in the intervening years has become a delivery device for marijuana and CBD. The Board of Health is considering if it should regulate the vaping devices separately. The State issued a ban on September 24th on all vaping devices in the Commonwealth slated to expire on December 24th. Mr. Carbone will keep the Board apprised of the regulations.

Bob Pokress asked if we can restrict the types of products in Andover and a ban on the sale of vaping devices. The Board of Health is looking into this.
C. **Acceptance of Conveyance of Land to the Conservation Commission**

Board to discuss and consider voting to accept from Raytheon Company the conveyance of a certain parcel of land known as 0 Osgood Street to the Town of Andover, under the care, custody and control of the Andover Conservation Commission under the provisions of General Laws, Chapter 40, Section 8C.

Director of Conservation, Bob Douglas explained the parcel of land that Raytheon would like to convey to the Board. The Conservation Land Group and Commission voted favorably to accept the parcel of land Raytheon is offering to the Town.

On a motion by Dan Koh and seconded by Alex Vispoli, the Board of Selectmen of the Town of Andover hereby accepts the foregoing conveyance to the Town of Andover to be held under the care, custody and control of the Conservation Commission of the Town of Andover under the provisions of General Laws, Chapter 40, Section 8. Motion passes 5-0.

D. **Update on Gas Legislation**

Board to receive an update on gas safety legislation and consider signing a letter of support.

The Town Manager testified before the Joint Committee on Telecommunications and Energy on the two bills pending legislature, House Bill 2850 and Senate Bill 1967 for Natural Gas Safety and Responsibility. The Town Manager is asking the Board to sign the letter of support of this legislation. The bill is intended to setup two items, to require communications between any gas facility in the Commonwealth of Mass and public safety and municipal officials to be able to identify maps and distribution systems, leak protection, and establish timelines for leaks to be addressed. The bill also requires utility companies to have mutual aid agreements with police and fire with neighboring communities.

Alex Vispoli moved to support the letter by the Town Manager on Gas Safety Legislation. Motion seconded by Dan Koh and voted 5-0 to approve.

E. **Town Manager and Select Board Goals Update**  

See Handout

Town Manager provided an update on the Town Manager / Select Board Strategic Goals that were voted by this Board for the current goal period at a workshop in June and which the Board adopted as goals in July 2019.

Mr. Flanagan reported on the six overarching goals:

1. **Long-range Financial Planning**

Andrew worked closely on this goal with Donna Walsh, and the Revenue & Expenditure Task Force on the long-range financial planning goals.

Framework and tool will have to wait until next fall to realize the impact of this goal. Commercial and Industrial revenue will change with the result of the TIF coming offline, and getting a windfall due to the Columbia Gas incident. This is a unique situation that we got two increases in revenue which will have a positive impact on residential tax bills.
Unfunded liabilities to be addressed at Triboard Meeting on December 11th. Employees will be contributing 1% of their pay to the unfunded OPEB liability and will have a positive impact in reducing the unfunded liability schedule from 7-10 years. The unfunded liability was reduced from $1.45M to $1.27 M as a direct result of changes to the funding schedule.

2. Citizen Response Management and Engagement
Patrick Lawlor has done extraordinary work with Town Departments to launch Andover Central the new customer service solution utilized by all departments and to make sure that anyone with any carrier who dials 311 will be able to access Andover Central.

Customer Service Functions – Recommendations in CIP to maximize the resources and includes public outreach.

The AIEA has agreed with the language in every job description that includes cross collaboration and training that will allow employees to move laterally across departments.

Development of a Performance Management System launched to collect baseline data and to use when they build the budget.

Develop and Disseminate Citizen Survey:
Mike Lindstrom and Austin Simko worked with UMass Lowell to develop a scientific survey to be sent randomly to 3,000 Andover residents and is available on the Town Website for any resident to complete. They will aggregate the responses and present to the Board in 2020.

Expand effective communication systems with the public through a variety of media followers have increased by 77% since 2018 and subscribers to Andover News Flash has doubled.

3. Capital Improvements
The move to the new Municipal Services Facility has been seamless and all operations at 11 Lewis Street have ended.

The Senior Center Renovation project is on schedule and on budget. Bids will be opened on January 29th and construction is scheduled to begin on Monday, March 2, 2020. Senior Center Offices and Programs have been relocated to the Ballardvale Church, Dundee Park, and Town Offices.

The Ballardvale Fire Station design was finalized in September 2019, construction will begin in the winter of 2020 (March 2, 2020) and take about 18 months to complete. They worked well with the Ballardvale Historic District.


Implementing the Gas Disaster Recovery Plan Status: The Town Manager expects there will be a 4-year paving cycle for sidewalks and roads. The Senior Center parking expansion is in the design stage and improvements to the Senior Center are incorporated into the final design.
Senior Center Parking, Municipal Complex and Downtown connectivity improvements will begin construction in the Spring 2020. The Bath House at Pomps Pond and Turf Surface is delayed for further study. Weekly inter-departmental meetings will report on the progress.

Not on the list is the Rte. 133 Corridor to trigger funding to rebuild Rte. 133 from the intersection at Shawsheen up to Lowell Street.

Sidewalk programs that complements our original CIP program include increased small sidewalk repair and earmarked using 10% of free cash to install new and rebuild existing sidewalks.

West Elementary School: Working with the School Committee, and the West Elementary Building Committee they have signed a contract with SMMA Architects (designed Bancroft, WHMS/HPE) for the new West Elementary School.

4. Downtown Area, Historic Mill District
Funds approved by Article 41 last year and further subsidized by Gas Restoration funds for parking and hardscape improve-ments behind Old Town Hall and the parking lot beyond. Project is in the design stages and work is scheduled to being in the spring of 2020.

In the process of developing plan for disposition of 11 Lewis St.

Public Input Session scheduled for December 9th and January 17th. The Board received an update on October 28th and will receive another in early December. The vote to dispose of 11 Lewis Street will happen at the Annual Town Meeting. The Select Board, Planning Board, and HMD Task Force have all voted to select the sale of the site as the method of disposition.

5. River/Open Space
Finalizing the design and developing budget plans for Merrimack River access along the Heffron Right of Way and the GRLT School easement. Expects to have design options in hand within next six days that will increase access to region’s scenic resources by constructing public pathways and a bridge over the Shawsheen River to connect with Pomps Pond, ADA Rail Trail for Dale Street Bridge, and connectivity project.

6. Energy & Sustainability
A Sustainability Coordinator was selected through a competitive candidate process. Submitted an application for flood mitigation and developed a plan for the Street Tree Program including a budget of $500,000 to help us move through several years of backlog. Submitted Urban Forestry Challenge Grant and hope to hear back in a few months.

The Board appreciates the update on the goals.
F. **Town Manager Reappointment Public Input and Discussion**

Board to take public input on Town Manager reappointment and discuss process.

Mr. Pasquale said the Town Manager has done an exceptional job of managing and directing the activates during the gas disaster, spearheaded the effort for the long-overdue Ballardvale Fire Station, has been focused on priorities of the Schools and Town, and reorganized the Department of Public Works. Mr. Pasquale is pleased with how clean The Park looks. Andrew devised a funding plan for the new Town Yard and there is more transparency in Town Government. He has done a dynamite job. Bob Pokress, Cherrywood Circle, feels all the particulars that are good for us in the Town have improved in all manners. The town is running smoothly and he senses a different attitude with Town Departments.

Mr. Coleman is going to collect signatures for a vote of no confidence. There is no transparency especially at the Senior Center. Disappointed in elder services for his mother and is not happy with the Senior Center being temporarily moved to the Ballardvale Church.

Keith Saxon, Wethersfield Drive, recommends that the Board not hire the Town Manager for another 5 years because of the culture that many people fear in this town and prevalent from many people in his circle. Information should go to the Select Board right away, instances of untruths, lack of follow-up and mid-higher priced homes are not selling because we have not been aggressive in reducing our costs. Many seniors are worried about spending. The culture is not inclusive and operating costs have increased.

VII. **Consent Agenda**

A. **Appointments by the Town Manager**

1. On a motion by Alex Vispoli seconded by Dan Koh, the Board voted 5-0 that the following appointments by the Town Manager be approved:

<table>
<thead>
<tr>
<th>Department</th>
<th>Name</th>
<th>Position</th>
<th>Rate/Term</th>
<th>Date of Hire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Public Works</td>
<td>Jeffrey Crane</td>
<td>Water Distribution &amp; Waste Collection Superintendent</td>
<td>$107,132.06/yr</td>
<td>11/19/2019</td>
</tr>
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<td></td>
<td><em>(Morris Gray)</em></td>
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<td></td>
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</tr>
<tr>
<td>Facilities</td>
<td>Robert Bouche</td>
<td>Refrigeration Apprentice</td>
<td>$27.09/hour</td>
<td>11/18/2019</td>
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<tr>
<td></td>
<td><em>(Allen Smith)</em></td>
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<td></td>
<td><em>(Joshua Welch)</em></td>
<td></td>
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</tr>
<tr>
<td>Community Development &amp; Planning</td>
<td>Michel Chaput</td>
<td>Alternate Plumbing, Gas &amp; Sewer Inspector</td>
<td>$40.00/hour</td>
<td>11/14/2019</td>
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<tr>
<td>Community Services – Recreation</td>
<td>Lindsey Langlais</td>
<td>Kid Care</td>
<td>$18.00/hour</td>
<td>11/19/2019</td>
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<tr>
<td>Community Services – Recreation</td>
<td>Tomas Loureiro</td>
<td>Kid Care</td>
<td>$12.00/hour</td>
<td>11/19/2019</td>
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<td>Community Services – Recreation</td>
<td>Grace Angelo</td>
<td>Kid Care</td>
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<td>11/19/2019</td>
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<td>Community Services – Youth Services</td>
<td>Ethan Doherty</td>
<td>Seasonal</td>
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<td>11/18/2019</td>
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<tr>
<td>Community Services – Youth Services</td>
<td>Jocelyn Pern</td>
<td>Seasonal</td>
<td>$12.00/hour</td>
<td>11/12/2019</td>
</tr>
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</table>

VIII. **Approval of Minutes**

A. Board to approve minutes of October 7 and October 28, 2019.

On a motion by Annie Gilbert and seconded by Chris Huntress the Board voted 5-0 to approve the minutes of October 7, 2019 rev. and October 28, 2019 rev.

IX. **2020 Board of Selectmen Meetings**

Dan Koh moved that the Board accept the meeting schedule of January 13, 2020, January 27, 2020, February 10, 2020, February 25, 2020, March 9, 2020 and March 23, 2020. The motion was seconded by Alex Vispoli and voted 5-0 to approve.

X. **Executive Session**

Annie Gilbert moved that the Board vote to go into Executive Session pursuant to Purpose 3 of Massachusetts General Laws, Chapter 30, Section 21(a), for the purposes of discussing confidential legal advice with Town Counsel and litigation strategy in the Federal Court case filed against opioid manufacturers and distributors, and for the Chair to declare that a public session would have a detrimental effect on the town’s litigation strategy, and Purpose 2: of Massachusetts General Laws, Chapter 30, Section 21(a), to conduct strategy sessions in preparation for negotiations with nonunion personnel, i.e., the Town Manager and for the Board to return to open session. The Chair so declared. The motion was seconded by Alex Vispoli. Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, and L. Gregory-Y. Motion passes.

XI. **Open Session resumed at 10:43 P.M.**

Laura Gregory reported that the Select Board would like to pursue the reappointment of the Town Manager and to that end, she asked for a motion to for the appointment of a two-member subcommittee to prepare for and to conduct negotiations.

Dan Koh moved that the Select Board vote to appoint Annie Gilbert and Laura Gregory as the two Subcommittee members to prepare and conduct negotiations for the reappointment of the Town Manager. The motion was seconded by Chris Huntress and voted 5-0 to approve.

XII. **Adjourn**

At 10:45 P.M. on a motion by Alex Vispoli and seconded by Chris Huntress, the Board voted 5-0 to adjourn from Open Session.

Respectfully submitted,

Dee DeLorenzo, Recording Secretary

Documents: 2019-2020 Goals and Objectives
Conservation Commission Exhibit A
Recycling handout, Keith Saxon